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April 21, 2021

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Via ECF

Hon. Paul A. Engelmayer
United States District Judge United States
District Court Southern District of New York
40 Foley Square
New York, NY 10007

**Re: Letter Motion for Approval of Sealed and/ or Redacted Filings in Focus
Products Group International, LLC et al. v. Kartri Sales Company, Inc.
Civil Action No. 15 Civ. 10154 (PAE) (SDA)**

Dear Judge Engelmayer:

Further to grateful guidance from Your Honor's Chambers yesterday and pursuant to Your Honor's revised Individual Rule 4.B published April 14, 2021, Defendants have filed herewith Exhibits 3 (redacted and excerpt copy of the Deposition of John Elmore February 19, 2019) and 4 (copy of Attachments 1-8.6 to the John Elmore Report) of Defendant Marquis' Third Motion In Limine (Dkt 342) in a redacted form in conformity with the Court's standing order, 19-MC-00583, and ECF Rules & Instructions, section 6 seeking approval of the redactions. In further conformance with Rule 4.B, copies of the Exhibits 3 and 4 will be filed under seal and linked to this motion via ECF today as well.

Defendants respectfully request that the documents be filed under seal pursuant to the Court's Individual Rule 4.B.1 (Redactions Not Requiring Court Approval). Specifically, the request for filing under seal is submitted since the redactions in Exhibit 3 and the entire Exhibit 4 includes financial, product, sales and/ or customer information identified as confidential by the Plaintiffs and/or Defendants and is proprietary business data of the type commonly recognized as trade secret business records under 4.B.1. Alternatively, Defendants request that the documents be filed under seal under the Court's Individual Rule 4.B.2 (Redactions Requiring Court Approval).

This letter motion is believed to satisfy the public notice function that the request for filing of redacted and sealed documents be made in public view. Timely notice of the underlying information in connection with Defendant Marquis' Third Motion In Limine (Dkt 342) was made in an email letter submitted to the Court and all counsel on April 15, 2021 with copies in unredacted form, but lacked the public view requirement under revised Rule 4.B.2 now provided by this letter motion.

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We thank the Court in advance for its attention to this matter.

Respectfully submitted,

/s/Bernhard P. Molldrem, Jr.
Bernhard P. Molldrem, Jr.
Attorney for Defendant Kartri Sales Co.

/s/Angela Foster
Angela Foster
Attorney for Defendant Kartri Sales Co.

/s/ Donald J. Cox, Jr.
Donald J. Cox, Jr. (Pro Hac Vice)
Counsel for Defendant Marquis Mills Int'l, Inc.

cc: Bernhard P. Molldrem, Jr., Esq. (via ECF)
Angela Foster, Esq. (via ECF)
Morris E. Cohen, Esq. (via ECF)

Granted. SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
4/22/2021